

MONTAGUE ZONING BYLAWS

OVERVIEW OF PROPOSED CHANGES 9/25/2018

WHY NOW?

Limited and incremental changes since 1970

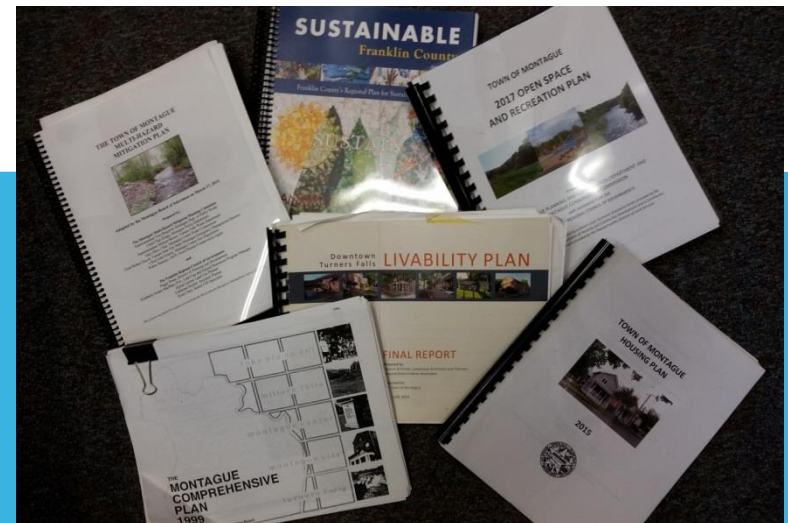
- portions inconsistent with MA state law
- opportunity in to incorporate established, sound planning principals
- Some portions do not reflect current land use or current community priorities



GOALS

To have bylaws that are:

- Clear and concise
- User friendly
- Streamlined , where appropriate
- Guided by Town Plans
 - Remove barriers to farmland and scenic resource protections
 - Guide development to existing developed areas
 - Remove barriers to retention of diverse housing stock
 - Enable growth of commercial/industrial base in targeted areas
 - Encourage sustainable land use patterns



THE PROCESS

Planning Board directed Town Planner in 2016 to conduct a comprehensive review and make recommendations

Technical support provided by Franklin Regional Council Of Governments

Reviewed by Planning Board over last 24+ months

Coordination with Building Inspector and Zoning Board of Appeals, many other boards+ departments

Stakeholder and press outreach over last year

Well attended and received Public information Series July 2018

Petition to Selectboard- October 2018

Public Hearings- November, December 2018

Town Meeting Approval- February 2019



SUBSTANTIVE CHANGES (THE HIGHLIGHTS)

- 1 Acre zoning in Ag-Forestry to discourage development of farmland into small lots
- Rezone long-established, sewerred residential neighborhoods from Ag-Forestry to Residential to reflect current land use patterns
- Separate Residential District into RS-1 (sewerred) and RS-2 (not sewerred) to maintain historical development patterns
- Removal of single use and “unrestricted” zones to reflect current law and best practices
- Several new locations zoned for mixed-use or commercial development that are supported by Town Plans
- Ease restrictions on 2 family ,multi-family dwellings, and Accessory Dwelling Unit to remove barriers to new housing
- New “tools” for flexible development: Planned Unit Development and Open Space Residential Design
- Updated regulations for signage, parking, trailers, solar, and keeping of animals to meet modern standards and priorities

ADMINISTRATIVE/ HOUSEKEEPING CHANGES

Adopt a new official zoning map

New Section: Special Permit Process and Procedures

Organization: Reorganize Chapters and headings for readability and formatting consistency

Definitions: remove unnecessary definitions, add/ amend definitions as necessary

Update: “Purpose and Administration”

Bolster “Enforcement and Penalty” section

Practical division of responsibility for Special Permit Granting Authorities

Establish a “purpose” for each zoning district and special regulation

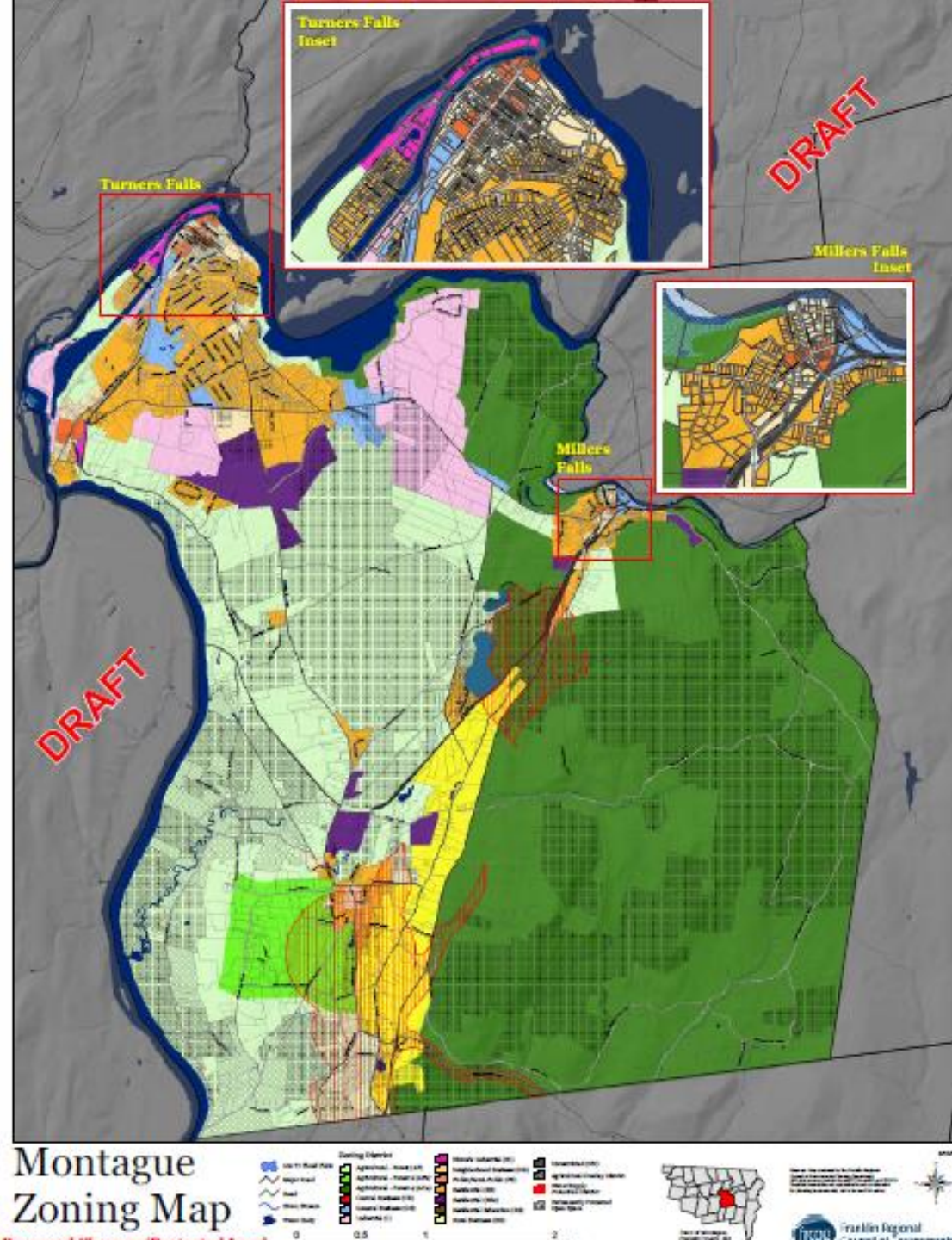
Allow setback and height relief by special permit (currently by variance)



UPDATED MAP

Adopt a new “official Zoning Map”

- Eliminate 3 Zoning Districts: Public-Semi-Public, Recreation-Education, and Unrestricted
- Rezone Montague Plains WMA from Industrial to Agriculture-Forestry
- Rezone existing residential areas served by municipal water and sewer from Agriculture-Forestry to Residential




DIMENSIONAL CHANGES

RESIDENTIAL

- Relax setback restrictions on sheds less than 120 square feet
- Reduced rear-yard setback in densely developed districts (HI and CB)

COMMERCIAL

- Establish minimum frontage and lot size requirements for all commercial districts
 - Additional buffers from existing residential uses in GB and ID
 - Modest increase to height limits in GB, HI, and ID
- 

DISTRICT USE CHANGES

Permitted Uses in ALL DISTRICTS

- (a) Agriculture and forestry on parcels of land exceeding 5 acres
- (b) Religious and educational uses expressly exempt under M.G.L. Chapter 25A
- (c) Governmental facilities and services
- (d) Public Parks and off-road recreational paths for walking and cycling

Proposed text is underlined



DISTRICT USE CHANGES

| | By right (Proposed) | Special Permit (Proposed) |
|-----------------------|--|---|
| Ag-Forestry | | cemeteries |
| Residential | | Multi-fam up to 4 units |
| Rural Bus. | Two family dwellings Ag/forest product processing < 5k | cemeteries |
| N'hood Bus. | | Hotel, lodging house, farming |
| General Bus. | farming w/ retail component | Multi-family, craft workshop, manufacturing, processing, research |
| Central Bus. | 4 dwelling units above commercial Retail up to 5K square feet | Exceeding by-right thresholds |
| Industrial | Farm/forestry products processing | |
| Historic- Industry | | Multi-family, New buildings Farming/forestry, Open rec. enterprise |

SIGNAGE

| | Current | Proposed |
|----------------|----------------|-----------------------------|
| Billboards | Special Permit | prohibited |
| Max Size | No Change | No Change |
| Back-lit signs | By right | Special Permit in GB and HI |
| LED Signs | By right | Special Permit in GB |



Establish rules for exempt signs: open/closed signs, temporary signs



billboard

Back-lit Sign



PARKING

- Specify minimum space requirements according to use and current standards
- Allow off-site and shared parking
- Establish basic standards for parking lot design
- Landscaping requirements: landscaped buffer strips, shade trees, sidewalks, Low Impact Development, bike racks


Cost of overabundance of parking:

- loss of neighborhood character
- heat island effect,
- Increase in polluted storm water
- Less desirable aesthetics



TRAILERS

Original to 1970 :Mobile homes, trailer parks, and campgrounds are currently prohibited.

- Limit occupancy by a guest(s) in a camper to a TOTAL of 90 days in a calendar year. (Currently 30)
 - Allow people rebuilding a home to live in a camper in addition to mobile home for up to 24 months
 - Set timeline for removal of temporary office/construction trailers
 - Campgrounds no longer expressly forbidden
 - Mobile homes will continue to be prohibited use (until state law changes)
 - Tiny homes allowed but would need to be fixed to the ground
- 

ACCESSORY DWELLING UNITS

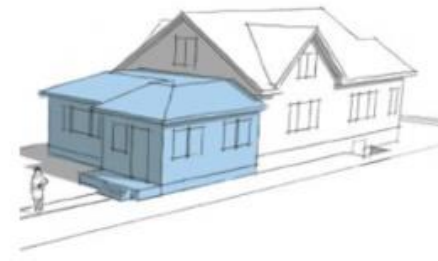
Max size: 900 square feet (from 700)

Permit runs with the property- not the applicant. Makes it easier for banks to finance.

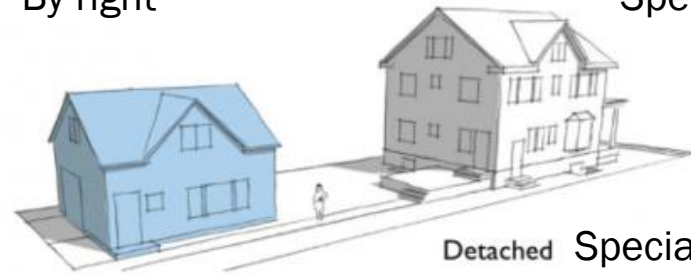
Flexible and efficient housing option, allows for aging in place, housing units for persons with disabilities



Internal
By right



Attached
Special Permit



Detached Special Permit



SOLAR INSTALLATIONS (SMALL SCALE)

- Solar parking canopies for multi-family and non-residential uses allowed by right
- Accessory ground-mounted solar by right except Central Business and Neighborhood Business where it is allowed by Special Permit.
- Montague ZBA has granted relief over one dozen times since 2012



SOLAR FACILITIES (LARGE SCALE)

50% natural vegetation lot coverage requirement

100 foot vegetated buffer strip from any street line or abutting residential use

No longer allowed in General Business

Still allowed by Special Permit in ID and HI

Since 2015 Montague has permitted 4 large scale solar projects totaling over 80 acres of land.



*Eversource Array- Millers Falls Rd
23 acres*

OPEN SPACE RESIDENTIAL DEVELOPMENT



Conventional
subdivision plan



Open Space
Residential
subdivision plan

At least 40% Protected Open Space- Same number of units
Permitted by Site Plan Review

BOARDING OF ANIMALS

Livestock : (Horses, Cows, Pigs): By Right in Ag-Forestry and Rural Business Districts, by Special Permit in Residential Districts.

Chickens: Up to 6 hens allowed by right. in all districts No limit in Ag-Forestry or Rural Business (more than $\frac{3}{4}$ of Montague's land area)

Kennels allowed by Special Permit in Ag-Forestry, Rural Bus., and Industrial

Zoning regs are currently ambiguous



PLANNED UNIT DEVELOPMENT

Allows mix of uses, variety of building types and open space under on comprehensive site plan

Allowed only in Industrial, General Business, and Historic Industrial by Special Permit



Village Commons, South Hadley

Village Hill, Northampton



PARTICIPATE AND GET INFORMED!

**Review the proposed changes in detail at
www.montague-ma.gov**

**Public Hearing: Tuesday November 27, 2018
7:00 PM at Town Hall One Avenue A**

Walter Ramsey, AICP-Montague Town Planner

Planner@montague-ma.gov

413 863 3200 ext 112

Office hours: M-Thu 8:30 to 5:30 (6:30 on Wed)

